

**S P E E C H**  
OF  
**HON. WILLIAM B. ALLISON,**  
OF IOWA,  
DELIVERED IN THE HOUSE OF REPRESENTATIVES,  
FIRST SESSION, THIRTY-EIGHTH CONGRESS,  
WEDNESDAY, May 4, 1864.

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Mr. ALLISON said—

Mr. SPEAKER: We are still in the midst of war. More than three years ago the people of eleven States of this Union, in their organized capacity as States, by their representatives selected for that purpose, confederated together, adopted a form of government independent of the Government to which they owed allegiance, and levied war upon the Union which had so long protected them in the full enjoyment of every right under the Constitution. This war, begun confessedly without cause, has been prosecuted on their part with a despotic cruelty and implacable vindictiveness without precedent in the annals of civilized warfare.

The despotic chieftain who rules at Richmond shrinks from no act that in his judgment tends to perpetuate his power, either in the treatment of his subjects or in his conduct toward the Government against which the war is prosecuted.

Although the conflict has waged with varied fortune from the beginning, yet a survey of the situation to-day clearly indicates that we have made substantial progress toward the re-establishment of the power of the Government over the revolted States. We all indulge the hope that the invincible hero with his brave men now about to move on the enemy's works will achieve success. We must not deceive ourselves, however, by resting in the belief that the enemy is substantially overthrown; his armed legions will still confront us; many battles are yet to be lost and won before his military power is destroyed. That power destroyed, the enemy is not conquered.

"Who overcomes  
By force hath overcome but half his foe."

"Our better part remains to work in close  
Design what force effected not."

"The unconquerable will and study of revenge, immortal hate, and courage never to submit or yield," must be subdued by wise legislative action, by firm administration, and by unwavering fidelity to the great principles of republican liberty. The cause of all our woe must be eradicated. We must not be led astray by the siren song recently echoed on this floor, that abolition is "a thing accomplished," that slavery is dead. But we must annihilate it forever, and see that it has no resurrection. This duty primarily belongs to the Congress of the United States. We fail in the discharge of our whole duty if we do not adopt every measure that will bring about this consummation. Every measure of Congress, and every act of the Executive looking to the suppression of the rebellion and the destruction of the diabolism that produced it, although vehemently assailed on the stump, through the press, and in these halls, has been triumphantly sustained after full and free discussion by the people of this country. The loyal people who have sacrificed so much, and who are ready for still greater sacrifices, demand of us and of the Executive that these necessary measures shall be carried to their legitimate and proper result. They demand that we shall so triumph over the rebellion that the cause which led to it and which has been its chief support shall with it be destroyed forever. They demand that free republican institutions, with all their attendant blessings, shall be established in all the territory reclaimed by our armies from the usurpation that now holds it.

I have listened with interest to the discussion in this House as to the relations of the so-called "Confederate States" to the Government of the United States. It seems to me, however, that this question is to us *res adjudicata*. It has been settled by executive proclamation, by congressional action, and by judicial determination. Our authority over the revolted States, and the rights to which they are entitled, have been clearly defined and fixed by the Supreme Court of the United States, in the prize cases reported in 2 Black, page 635, *et seq.* The court, in stating the nature of the revolt, says:

"That in organizing this rebellion they have acted as States, claiming to be sovereign over all persons and property within their respective limits, and asserting a right to absolve their citizens from their allegiance to the Federal Government. Several of these States have combined to form a new confederacy claiming to be acknowledged by the world as a sovereign State. Their right to do so is now being decided by wager of battle. The ports and territory of each of these States are held in hostility to the General Government. It is no loose, un-

organized insurrection, having no defined boundary or possession. It has a boundary marked by lines of bayonets, and which can be crossed only by force. South of this line is enemy's territory, because it is claimed and held in possession by an organized, hostile, and belligerent Power."—2 *Black*, pages 673, 674.

Judge Nelson, page 693, says :

"The laws of war, whether the war be civil or *intergentes*, as we have seen, convert every citizen of the hostile State into a public enemy and treat him accordingly, whatever may have been his previous conduct."

Again, page 695, he says :

"The act of Congress of July 13, 1861, sections five and six, recognized a state of civil war between the Government and the Confederate States, and made it territorial."

Congress has passed its deliberate judgment upon this question in the form of legislative enactment.

By section five, of act of July 13, 1861, to collect duties on imports and for other purposes, the President was authorized to declare certain States in insurrection, whereupon all commercial intercourse with said States should cease, and all goods or merchandise coming from said States or going thereto should be forfeited to the United States.

Again, by sections seven, eight, nine, of act of July 17, 1862, to suppress insurrection and for other purposes, proceedings *in rem* are authorized to be instituted against the property without process against the owner, and the property condemned and sold when it shall be established that it belongs to a person engaged in rebellion or who has given aid or comfort thereto :

"Such property shall be condemned as *enemy's* property, and become the property of the United States. All slaves of such persons found or being within any place occupied by rebel forces, and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude and not again held as slaves."

How enemy's property, if this is not a civil, territorial war? how enemy's property if subject only to the municipal laws of the United States? How shall slaves be deemed captives of war except by the laws of war? Such property is enemy's property; and slaves are captives of war by virtue of the laws of war applied to a hostile belligerent Power.

The President of the United States by numerous acts has treated the States in revolt as public enemies. By proclamation of August 16, 1861, he declared the rebel States in a state of insurrection, proclaimed non-intercourse, and directed the seizure of vessels belonging to citizens of said States, together with their cargoes; and that such property when seized should become forfeited to the United States. In this proclamation the loyal and disloyal in those States are treated alike.

Again, by proclamation, in pursuance of law, on the 1st day of July, 1862, the President declared certain States in insurrection and rebellion whereby the civil authority of the United States is obstructed, &c.; not individuals in rebellion, but States in their organized capacity as States.

Again, the President, by proclamation on the 22d of September, 1862, declared :

"That on the first day of January, 1863, all persons held as slaves within any State, or designated part of a State, the people whereof shall then be in rebellion against the United States shall be thenceforward and forever free."

And again, by proclamation on the 1st of January, 1863, these slaves were declared absolutely free. This great act of justice to an oppressed people is sustained upon the basis that the people in their organized corporate capacity as States are in rebellion; that they are to be treated and held as public enemies. Whatever the effect of this proclamation it operates alike upon those sustaining the rebellion and those still adhering to the Union. It takes effect upon the principle that this is a territorial war; that its "boundary is marked by lines of bayonets; that these designated States and parts of States" are held in possession by an organized, hostile, and belligerent Power; and that all the people within this hostile boundary are by the laws of war enemies.

The amnesty proclamation proceeds upon the same principle. It assumes the right of the Government to impose such conditions upon this conquered people as Congress and the Executive may determine. The President has proposed such conditions as to him seem just and liberal toward those who are willing to come back into the Union. One of these conditions requires a modification of the State constitutions so as to prohibit slavery.

If our right is conceded to impose these conditions, the same grant of power would authorize the Government to impose any further conditions that may be necessary to secure the permanent peace and prosperity of the whole country, and that may be necessary to "guaranty to every State in this Union a republican form of government." This power is further recognized and enforced by the President in his letter of instructions to General Steele, in Arkansas. He says :

"That it be assumed at the election and thenceforward that the constitution and laws of the State, as before the rebellion, are in full force, except that the Constitution is so modified as to declare that there shall be neither slavery nor involuntary servitude except in punishment for crimes whereof the party shall have been duly convicted."

Substantially the same instructions were issued to General Banks. This suggested modification implies that the complete control of the reorganization of a State in rebellion rests in the General Government. If this condition can be imposed, other conditions may be, or new constitutions, republican in form, may be required before any State in revolt shall be permitted to re-enter the Union upon an equality with other States.

The law defines what acts are necessary to convert a domestic insurrection into a civil or public war. When the courts are obstructed, when the civil law cannot be administered, when hostile

forces confront each other on the battle-field, a state of public war exists, the parties are belligerent and the laws of war control them. When we blockaded southern ports, when we passed the non-intercourse act, when we sent out cartels of exchange of prisoners, when we treated captured piratical cruisers preying upon our commerce as prisoners of war, when we authorized the seizure, condemnation, and forfeiture of property *in rem*, when we declared all the slaves in revolted States as free, we treated our foe as a hostile belligerent power. But let it not be said that we have thus acknowledged the right of these States to revolt; we have only recognized the fact of revolution, and the great question we are now settling by wager of battle is whether or not this shall be successful revolution.

Neither let it be said that because we have treated them as public enemies we cannot punish the individuals as traitors. Judge Grier, in his able opinion in the prize cases, says:

"The law of nations contains no such anomalous doctrine as that insurgents who have risen in rebellion against their sovereign, expelled her courts, established a revolutionary government, organized armies, and commenced hostilities are not *enemies* because they are *traitors*, and a war levied on the Government by traitors in order to dismember and destroy it is not a war because it is an insurrection."

It follows that they can be punished as traitors though public enemies.

But it is claimed by the Opposition that if we treat them as revolutionists, as public enemies, we cannot complain if other nations recognize them as an independent power. This does not follow. For while they are to us public enemies, organized and confederated as States, yet they are upon our territory; they are within our jurisdiction. They are seeking to establish an independent government out of a part of our territory, and until we acknowledge them it is the established rule of international law that the recognition of them by a foreign Power would be an act of war. By act of Parliament of Great Britain of 16 George III, 1776, all trade and commerce with the thirteen colonies was interdicted, and all ships and cargoes belonging to the inhabitants subjected to forfeiture as if the same were the ships and effects of open enemies. From this time the war became a territorial civil war between the contending parties, with all the rights of war known to the law of nations. Yet years after she held the recognition by France of our independence to be an act of war, and declared war accordingly. Therefore, in the light of congressional legislation, Executive proclamation, and judicial interpretation, we have properly regarded those in arms against us as public enemies, liable to all the penalties imposed by the laws of war, having no rights under the Constitution, and at the mercy of our Government. I know we have at times by our legislation been in conflict with this view, but Congress, the courts, and the people are rapidly correcting the errors of the past. The laws of war are well defined and clearly understood.

Money and wealth, the products of agriculture and commerce, are said to be the sinews of war, and as necessary to conduct it as numbers and physical force. Hence it is that the laws of war recognize the right of a belligerent to cut these sinews of the power of the enemy by capturing his property, not only on the high seas, but on land in the hostile territory. The property thus taken is not confiscated under the Constitution after conviction for treason, but by virtue of the laws of war. Vattel, page 125, says:

"Everything, therefore, which belongs to the nation, to the State, to the sovereign, to the subjects of whatever age or sex—everything of that kind, I say, falls under the description of things belonging to the enemy. As to landed estate, property of this kind does not cease to be enemy's property, though possessed by a neutral foreigner, since the owner is resident in the hostile country."

"We have a right to deprive our enemy of his possession of everything which may augment his strength and enable him to make war." (Page 349.)

"In fine, we seize on the enemy's towns, his provinces," &c.

But it is claimed that under the humane policy of modern times, and by the later decisions of our courts, the rigid rules of confiscation of enemy's property have been relaxed. This I grant is true to a certain extent; but the law remains, and when the sovereign power of a nation demands the execution of the law in its rigor the courts will execute that law. Chief Justice Marshall, in the case of *Brown vs. The United States*, 8 Cranch, 110, says:

"Respecting the power of the Government, no doubt is entertained. That war gives to the sovereign full right to take the persons and confiscate the property of the enemy wherever found is conceded. The mitigations of this rigid rule, which the humane and wise policy of modern times has introduced into practice, will more or less affect the exercise of this right, but cannot impair the right itself. That remains undiminished; and when the sovereign authority shall choose to bring it into operation the judicial department must give effect to its will."

This power is exercised under the war power granted in the Constitution, and which is without limitation.

Under this view it follows that we may seize the real estate in fee; we may seize all the slaves within the hostile territory, emancipate them, arm them, and use them in any way to weaken the enemy and strengthen the Government.

The framers of our Constitution wisely placed no restriction upon the war powers of the Government. When a state of war exists the Constitution authorizes every act that the law of nations justifies toward our enemy, even though that enemy consists in communities who once owed and still owe a paramount allegiance to the Constitution of the United States.

With what show of reason or of justice can it be claimed that while this enemy is confronting us, defying our authority and our laws, while it is necessary for us to sacrifice billions of money and hundreds of thousands of the best men in the land; we shall at the same time exert the power of Congress to preserve and protect the property of this enemy to be turned over to them unharmed at

the end of the war? Is there anything in the character of this revolt that requires us to exercise clemency toward the slaveholding, landholding class who were its instigators, and who now control and direct it?

No act of the Government could be pointed out treating this people with injustice. So far from it they ruled and controlled it for a long series of years to uphold and maintain slavery. Fearing that the General Government could no longer be used for the exclusive benefit of the slaveholders, they instigated this revolt, to establish out of the territory of the United States a slave empire, to make perpetual an aristocracy founded upon the idea that capital should own labor. Since Satan with his infernal peers revolted against Deity, history or poetry furnishes no example of a revolt so causeless, and having for its object so diabolical a purpose.

The dictates of justice and humanity alike require that the fomenters of this rebellion, those who infused into it organization and life-blood, shall be punished to the extent permissible by the laws of war. The great body of the people of the South are entitled to be treated with leniency, and should be so treated. Those who, from ignorance, were induced to enlist, those who by force were conscripted, should in the end receive the clemency of the Government; but for the leaders expatriation, annihilation, or death is the only remedy. It has been truly said that this is a landholder's as well as a slaveholder's rebellion. It is estimated, by careful computations from the census tables of 1860, that four-fifths of all the lands in the rebellious States are owned by slaveholders, and that one-third of the slaveholders own two-thirds of these lands. About one in fifty of the whole population of the South holds slaves. So that if the lands of the leading conspirators were seized by the Government and wrested from them, not more than one out of every hundred in the South would be affected by it. I ask Representatives, shall everything else be destroyed that these few thousand slaveholders with their immense plantations shall live? Justice demands that the diabolical spirit which fanned into flame this revolution and now keeps it burning shall expiate its crime by a forfeiture of all it has to the Government it seeks to overthrow. These estates of malignant and unrepenting rebels, confiscated to the Government under the laws of war, or seized under the revenue laws because abandoned by their owners, becoming the property of the United States, what shall be done with them? We are entitled to use them so as to best promote the interests of the whole country. We should not sell them, because they would be purchased in large tracts by speculators who have grown rich by the war, and who would use them as did the masters who have abandoned them. They are the rightful inheritance of those who have fought our battles and reclaimed them from the control of the usurpation that now makes war upon us. They have the first right, and this bill secures that right to them. But the opponents of this bill say we propose to divide that which we have not, and which we cannot acquire. They forget that large tracts are already within the jurisdiction of the Government under the direct tax, which will go into the hands of speculators unless bid in by the Government and awarded to our soldiers under this bill, or some one with similar provisions.

Mr. Speaker, I do not believe this nation will be so unjust to itself as not to seize absolutely the property, including the lands, of malignant rebels. Therefore I assume that confiscation in fee will be our policy with reference to these lands. We progress slowly, I admit; but to this we must come at last.

I will not take the time of the House to explain in detail the provisions of the bill under consideration. My colleague on the committee has done so, and the bill is printed and on the files of members. It extends our general land system, and virtually extends the homestead policy to this class of lands, confining its provisions, however, for the first five years after its passage to the soldiers and sailors who have borne arms in defense of the nation.

I will not stop here to vindicate the homestead law. Although long delayed, it may now be considered as a part of the settled policy of the Government in its disposition of the public domain. Experience has fully demonstrated that the Government realizes more revenue from its public lands by offering liberal inducements for their settlement than it does by offering them for sale. The demand for public lands is limited to the demands of actual settlers except during times of great land speculation, as in 1837 and 1856. Although Government realized millions of dollars from sales in 1856, yet those sales were a positive evil. Whole townships, and in some instances counties, in my State, Iowa, were taken up by speculators, and have been held by them at such prices as to preclude their settlement. If there had been no sales except to actual settlers, or if the beneficent principles of the homestead law had then prevailed, these localities would doubtless now be occupied by prosperous and extensive communities, who would annually contribute in taxes far more to the support of the Government than was realized from those sales. Our public lands are valueless to the Government without cultivation. Any other policy is unjust toward the hardy pioneer of civilization, injurious to the public interests, and would present a serious obstacle to the growth, development, prosperity, and greatness of our common country.

By this policy the oppressed poor of the Old World are invited to happy and independent homes in the New. They in turn contribute to the growth, wealth, and greatness of the nation. In the midst of this desolating civil war more than two hundred thousand of the poor of other lands within the last year have sought an asylum among us, invited by our free institutions and liberal policy, and it is estimated that during the coming year nearly double that number will seek our hospitable shores. Hon. Robert J. Walker, in a recent article, has shown that if we compute the annual immigration for the next ten years as during the decade from 1850 to 1860, and estimate the value of the labor of each immigrant at thirty-three cents per day, it would give us a grand total in 1870 of

\$1,430,000,000, or enough in twenty years to pay our entire national war debt. We need their labor to till our fields, to replenish our Treasury, and enrich our commerce, and therefore should, by our laws and our policy, give them encouragement.

Land monopoly, with its attendant evils, has ever been the bane of empire. The republic of Rome furnishes us a familiar example. In the early days of the republic labor was esteemed honorable. The cultivators of the soil were esteemed worthy of the highest places in the republic. Afterwards the reins of power passed from the hands of the middle classes; the proprietorship of the soil passed from the many into the hands of the privileged few. The people having thus alienated the true inheritance of power, their own homesteads, soon became a prey to the contending factions, who controlled the wealth of the State, and the greatness and glory of the imperial republic passed away forever.

The successive revolutions in Mexico have been but a struggle of the people against the lordlings of the soil; a struggle of the Liberal party who sought to foster and cherish republican institutions against the Church party who owned the greater portion of the soil and wealth of the country, and who used their wealth and power to oppress the people. The Liberals finally wrested this wealth from the Church party, and used it for the benefit of the State, and the Power now ruling that country has not yet deemed it prudent to restore it. The fate of Mexico shows how impossible it is to maintain a permanent republican Government over the few selfish, proud aristocrats who own the soil and wealth of the country, even without the demoralizing and aggravating evils of slavery.

Who does not believe that if the landed proprietors who own the great body of the English soil could upon some principle of justice be induced to share it with the homeless and landless class there, much of the misery, want, and degradation that now afflicts a great portion of that people would be averted, and the greatness and glory of the kingdom thereby advanced?

In a prosperous State labor must not only be free, but the cultivator of the soil must have a proprietary right in the soil itself. In the rebellious States the slaveholders not only owned the soil but the labor that tilled it. Labor thus degraded became dishonorable. Here the poverty of the many with its evils of want, of ignorance, and dependence, was to be found side by side with the excessive wealth and opulence of the few. The poor whites, ignorant of the blessings of free Government, yielded their assent the first moment the slaveholders, their masters, sought to overthrow it. The words of General Marion, himself a southerner, written to Baron De Kalb, present a picture of the lower class of whites in all the southern States. Speaking of Carolina, he says:

"The people form two classes; the rich and the poor. The poor are very poor; the rich, who have slaves to do all their work, give them no employment; the little they get is laid out in brandy, not in books and newspapers; hence they know nothing of the blessings of our country or of the dangers which threaten it; enjoying none of the benefits of a free government they cannot appreciate its blessings, and feel no interest in fighting for its preservation."

This is a truthful picture of the South to-day. The wealthy and intelligent few have controlled and directed the poor and ignorant many, and have thus led them into the vortex of a revolution, causeless as it is wicked. We must conquer the oppressors of this people. Their oppressors conquered, the Government should extend to them its fostering care and protection; should encourage labor and protect all in the enjoyment of its fruits. We must restore the great body of that people by the establishment in those States of free schools and free churches. This can only be done successfully by a division of the large estates, now abandoned, into small farms, which shall be tilled by their owners. This division is also necessary to eradicate slavery. The nature of that institution is to absorb all within its reach. Experience has demonstrated that the small farmer, and in turn the small planter, was compelled to give way to his more powerful and more aristocratic neighbor, who prospered upon the labor of his slaves, until all the valuable lands of the South were owned by comparatively a few persons. If these estates are not divided in the renovation of that region, they will soon be taken up under our tax and confiscation laws by a class of cormorants who will swarm thither, hoping to amass fortunes by a system of wages-slavery as much to be deplored as chattel-slavery. This class will seek to take advantage of the ignorant slave suddenly made free, and will require of him excessive labor, with inadequate compensation.

Experience has already shown that negroes suffer as much under avaricious lessees who are determined to suddenly amass wealth by raising cotton as they did under former masters.

This evil of land monopoly and speculation has become so great in Louisiana that General Banks was compelled recently to issue an order suspending all sales of real estate in the Gulf department belonging to rebels. In that department reliable authority states that the system of leasing lands adopted is but a feeble substitute for the barbarism of slavery; temporary, I hope, but if persisted in, and continued for any great length of time, the dominion of the northern speculator over the freedmen will be as complete and more cruel than slavery itself, which in some degree ameliorates the condition of its victims through the interest of the tyrant, who wishes to preserve the health of the slave that he may continue to exact from him unrequited labor. All efforts to destroy the institution of slavery will be futile if General Order No. 23, of February 3 last, relating to the treatment of freedmen in the Gulf department, is to become the permanent policy of the Government.

Shall we establish in this Republic a system of serfdom at the very time when the Czar of Russia is emancipating the serfs in all his dominions from the power of their feudal lords, and granting them absolute possession and ownership of the soil they have cultivated and continue to cultivate? We hail with joy this act of a monarch which raises millions to the conditions of freedom, and empowers a populous people to enter upon the road of progress. Let us at least keep pace with Russia



in our treatment of those who labor. I hope that the bureau of emancipation will soon be organized and that it may remedy these evils. But no permanent cure can be effected except by the adoption of some permanent system looking to the division of these immense estates among those who till them, and who by every rule of justice are entitled to the fruits of their labor.

This bill provides that these lands for a period of five years shall be set aside for the soldiers of the Republic, those serving two years being entitled to eighty acres, and those serving for a less period of time forty acres.

Every good Government is just and generous to its soldiers: none more than ours. We have paid and are paying most liberal bounties to those who volunteer in defense of the Union. We have granted lands to all those who have heretofore fought our battles. We are now paying larger pensions to those disabled and to the survivors of those who have died in the service than any Government on earth. Shall we continue this liberal policy toward those who fight in defense of the country and its flag? The brave men who have left their firesides and their families, and have dared all, endured all, and sacrificed all that their country might live, deserve from that country all of reward that it is possible to give. What greater boon have we for our soldiers than a homestead in a genial climate and upon a luxuriant soil, in the very neighborhood of their sacrifices and their triumphs?

This division should be made not only as an act of justice to the soldier, but as a matter of policy. After we have subdued by force of arms the people of the rebellious States, there will be still lurking a strong opposition to the Government. Guerilla bands will be organized to destroy property and harass loyal men. Who can so well organize for defense as the veterans trained by long service in the field?

Again, these missionaries of liberty will carry with them that spirit of freedom early taught them, and intensified by the sacrifices they have made in its maintenance. Northern thrift and independence will thus be substituted for ignorance and indolence. Free schools and churches will take the place of slave-pens and whipping-posts. Labor will be dignified being no longer servile. The great body of the people will become producers as well as consumers: manufactures will be encouraged, the arts will flourish; villages, towns, and cities will spring up in the now obscure localities. The people will become homogeneous, our internal and external commerce will be increased, and with it enhanced the wealth and glory of the nation.

This bill makes no distinction on account of color or race: it recognizes the equal right of all who have faithfully served in our armies to avail themselves of its benefits. We give all the same privilege to procure a homestead, acquire property, and enjoy the fruits of industry that we have hitherto claimed for ourselves.

Free negroes in many of the Southern States have always enjoyed this right. We cannot expect that emancipation will in a moment destroy the vices engendered by long years of humiliation and oppression. Because they have been degraded for centuries shall we continue to oppress them in the name of liberty? Our Government was formed and our Constitution framed to secure the blessings of liberty, not to promote and perpetuate inequality. Thomas Jefferson said:

"The opinion that they, [the colored race] are inferior in the faculties of reason and imagination must be hazarded with great diffidence."—*Jefferson's Works*, volume 8, page 386.

He said afterwards:

"I expressed these views, therefore, with great hesitation, but whatever be their degree of talent it is no measure of their right. Because Sir Isaac Newton was superior to others in understanding he was not therefore lord of the person and property of others."

It is the duty of the Government to give the colored man at least an equal chance with our own race in the settlement and cultivation of the soil in his native land. To this he is entitled upon every principle of equity and justice. These slaves have purchased these lands over and over again, many times, by their sweat and toil through many long years of oppression, and have been compelled to support unrequited the aristocracy which is now seeking to destroy the Government. Let us deal justly with them in order that we may claim justice for ourselves. Degraded as they have been by long years of oppression, the white race need not fear them in the race for power. Having vouchsafed to them the boon of freedom, let us by our policy seek to elevate them to the condition of freemen. Do they not deserve from us some consideration? Their blood mingled with that of our fathers in achieving the rich inheritance of freedom purchased by the sacrifices of the Revolution. They acted well their part in our last struggle with Great Britain; and in the war now being waged against us, the first moment opportunity was given they rushed eagerly to the field of contest, where the black flag and no quarter awaited them, knowing that to them the field of battle was victory or death, and that, too, in defense of a Government that has long withheld from them the pay due to those who wear the soldier's uniform and defend the emblem of our nationality.

I envy not the man who will in the light of the heroic achievements at Fort Wagner, Fort Hudson, and Milliken's Bend, and in the face of the barbarous and bloody massacres at Fort Pillow and Plymouth, stand up in the American Congress and advocate the withdrawal from our armies of the sable sons who exhibit such heroism and make such sacrifices. Nor do I envy the political party that will record its united vote against paying to these men the just reward of a soldier of the United States. Mr. Speaker, they have not only evinced a willingness to enlist in our armies but in the States in rebellion they have been our only reliable friends. Everywhere our generals receive their most useful and reliable information from this oppressed race, who hail the approach of our armies as the harbinger of freedom to them. They have at every sacrifice administered to the wants of our

soldiers, whenever and wherever opportunity presented. A single incident attending the escape of our prisoners from Richmond attests their devotion to our cause and the brave men fighting its battles. A prisoner says :

"Some of Captain Phelps' party and others were pursued and fired upon. All of them kept out of sight of whites, but trusted implicitly the blacks, and never had their trust betrayed. After the first officers had discovered themselves to the negroes and asked for food, on the Chickahominy, the negroes organized into relief squads and searched the woods for the fugitives, carrying them food from their scanty rations, and helping them in every way in their power."

Is it not the duty of the Government to justly recognize the generous devotion thus exhibited? Will the advocates of "the Union as it was" still say that this sublime heroism, these great sacrifices only deserve chains and slavery, and that the one hundred and thirty thousand colored men now serving in our armies shall be withdrawn from confronting the enemy, and be remanded to perpetual bondage, and subjected to the vengeance of rebel masters? Let them make up their record. But let it not be said of us on this side of the House that we failed to recognize these heroic qualities; but rather that we had the justice and magnanimity to extend to them the fostering care and protection of the Government that they in common with us are seeking to maintain and perpetuate.

But, says the Opposition, why give them lands which they will not till? They say the negroes free are idle and will not work for themselves. There never was an argument or statement so utterly fallacious. Will not work! The statistics of industry and population show that they are industrious when opportunity is given. Look at Maryland; an example almost within sight of this Capitol. Free negroes comprise one-eighth of the population. The people of that State have always relied upon the labor of these negroes; and recently, by a majority of more than fifteen thousand, have decided in favor of immediate and unconditional emancipation as the true policy of the State.

New Orleans, as appears by the census of 1860, contained in that year a population of one hundred and seventy-five thousand; of these fifteen thousand were free colored, ten thousand were slaves, and the remainder whites. The free colored men were taxed for an average of \$1,000 to each person, while the whites were taxed for only \$732 to each person. How have they acquired this wealth if not by their own industry? Some of the wealthiest inhabitants of the city of Charleston, South Carolina, are the free colored population. Experience demonstrates at Port Royal and elsewhere where the freedmen have been permitted to occupy abandoned lands and cultivate them that they are industrious and prosperous, accumulating property and improving the lands allotted to them.

The results of emancipation in the English and French colonies prove that the freedmen as a class are industrious.

Lord Stanley, in 1842, characterized the transition from slavery to liberty in the following terms :

"The negroes are happy and satisfied; they give themselves to labor; they have ameliorated their manner of living, and increased their comfort; while crimes have diminished, their moral habits have become better."

He further says :

"The number of negroes who became freeholders through their industry and economy amounted in the whole island of Jamaica to two thousand one hundred and fourteen in 1838, under the apprentice system, which was abolished in that year, and the number increased to seven thousand three hundred and forty, two years afterwards."

In Jamaica, the most important of the slave colonies, the freedmen, in four years, expended for the purchase of lands and the erection of houses more than four million francs. Of the eighty-two thousand slaves emancipated in Guiana fifteen thousand nine hundred and six had become freeholders in 1843.

A colonist of Jamaica in 1851, says :

"It may be supposed that the whites have the pre-eminence there." \* \* \* "But apart from that pre-eminence which results from wealth and intelligence in every community, the whites have no privilege over their fellow-citizens. We have proved by experience that the colored man can raise himself to the first rank of civil society and hold his place there as well as any European by origin."

On all these points the French testimony accords completely with the English reports.

After emancipation the aggregate commerce of the French colonies increased. The value of productions increased, notwithstanding the unfavorable legislation of the French Assembly. It is true, for three years after emancipation exports largely fell off, but recovered again in five years; and in ten years, in some of the islands, doubled.

Both before and after emancipation in the English and French colonies the home Governments sought to increase colonial production by encouraging the immigration of hired laborers.

This experiment did not prove successful, from a variety of causes. But it did prove that the hired laborers from Africa were the most industrious and least vicious. In other words, it is from the African race that laborers are borrowed destined to replace other Africans who are accused of idleness and vice.

Is it likely that this great work of emancipation could have progressed until the stain of slavery now rests upon but one nation of Europe had its results shown the black race unfit for freedom? In some instances disturbances and insurrections followed emancipation; but in no instance were they the result of it. The transition has generally been peaceful. The emancipation of eight hundred thousand slaves, on the same day and at the same hour, in the English colonies, did not cause as much disturbance as an election in some of the Democratic wards in New York city. Emancipation was no more responsible for revolution and outbreak in the colonies than was our Government responsible for the riot of Mr. Seymour's friends last summer, or for the recent rebellion in Illinois. Political demagogues in the colonies, in some instances, took advantage of the ignorance

of the freedmen, the fruit of which was revolution, as these riots were the legitimate fruit of the teaching of men in this Hall and out of it who are now the allies, and who formerly were the partisans, of those directing the rebellion.

The colored man with proper encouragement is industrious, does acquire property and appreciates with us the blessings of liberty, is ready with us to die in its defense, and should receive the generous encouragement of a magnanimous people and the protecting agis of a just Government.

Mr. Speaker, no man believes that the institution of slavery can survive this rebellion; when destroyed it is our duty to protect the freedmen in the conquered territory as well as the white race. They live within our territory and will continue so to live. I look upon any scheme of colonization as impracticable, and if practicable, pernicious in its results to the industry of the nation. We need these freedmen to till our fields and increase our production; there is now and always will be in this country great demand for free labor. We find ourselves compelled to devise schemes to encourage immigration, therefore sound policy prohibits the deportation of the four million black laborers within our territory, and duty requires of us to provide for them here by such legislation as will encourage them to labor for their support.

And let me here call the attention of gentlemen on the other side of the House to the fact that Congress has twice affirmed this policy of confiscation, that the courts have sustained it, that the people appealed to have also sustained it, and placed nearly every gentleman on that side of the House in a minority at home, because they opposed this and other necessary measures for the suppression of the rebellion. The people believe, whether true or not, that the leaders of the Opposition love their old allies and friends, the slaveholders, more than they love the Government that protects them. They suspect the loyalty of those who, professing sympathy with our cause by their words and actions give aid and comfort to our enemies. They cannot understand the logic that would teach them that, under the laws of war, we can take the life of a rebel, but cannot touch his property. They cannot believe that justice requires that the burdens of taxation shall fall upon the loyal men of the North, who have lost sons and brothers in this war, while those in arms against us shall be protected in the full and complete enjoyment of their property.

We must wrest the power of the southern States from the hands of a land-owning, slaveholding aristocracy, and restore it to the rightful possession of a whole people. We must labor for the elevation of that people. To do this we must destroy the present land system, first by confiscation in fee, then by placing them within the reach of every man who has a hand to labor or a family to support. We must make the masses land-owners if we would perpetuate the Republic. Those who till the soil are and ever have been the hope of the Republic. They fill our armies to-day. Look at the quotas of troops furnished in the loyal States, and you find nearly always that the rural districts are in advance of requisitions. The very nature of their pursuits inspires a love of country, and a patriotism to rally at its call.

The establishment of this system will be the forerunner of the establishment of the free institutions of the North among that people. With small farms and productive labor come free schools, a pure religion, free churches, thriving villages, manufacturing towns, colleges of learning, the growth of commerce, and all the blessings of republican government. These established, we shall realize as the result of our policy the enthronement of a republicanism which has lived in theory but not in fact except in the free States of this Union.

Mr. Speaker, our legislation should be for the whole people and not for a class, thus dealing justly toward those who have experienced long years of oppression under the banner of the Republic. If we hope to attain success in this contest we must guaranty to all the privileges of religion, of family, of property, and of liberty. Then our final triumph over the rebellion which seeks to deprive the poor and oppressed of all these is certain under the guidance of Him who rules all and governs all.

" Though dark the ways of justice seem,  
Impartially she holds the beam;  
Though oft her sword be wielded slow,  
Unfailing falls the dooming blow  
Right to exalt and wrong t' o'erthrow."

That justice requires that we shall extend the protection of the Government to all those whom we have called to battle in its defense by giving to them the right to acquire and hold as their own the fruits of their labor.

But we must not permit the discussion of this or kindred measures to divert us or the country from the paramount duty before us, that of prosecuting the war vigorously and earnestly until the military power of the rebellion is destroyed, until all the men now in arms against us shall either voluntarily or by compulsion lay down their arms. In this consists our only hope and safety; and to this primarily all our labors and efforts must be directed. There is no road to peace except through bloody war. Men may talk of peace by compromise and concession, but the day of compromise is past. Concession is impossible. Radical principles cannot be compromised. War and restoration by conquest on the basis of liberty, or peace and disunion on the basis of slavery are the only alternatives presented to the American nation to-day.